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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,294	09/30/2003	Chao-Tung Shih	PO92295	4719
7590 04/14/2004			EXAMINER	
Yi-Wen Tseng 509 ROOSEVELT BLVD. #D306 FALLS CHURCH, VA 22044			ALIE, GHASSEM	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 04/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,294

Applicant(s)

SHIH, CHAO-TUNG

Examiner

Ghassem Alie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the filing date of the application.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a lower slide member having an oval sidewall as set forth in claim 6 and a sheet of spring as set forth in claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "20a" on page 1, line 13 and "40" on page 5, line 22 of the specification.
3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "32", "33" in Figs. 2 and 4-9 and "231" in Figs. 2, 4, and 5.

A proposed drawing correction or corrected drawings are required in reply to the office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

4. The specification is objected to under 37 CFR 1.71 for not disclosing (a) a sheet of spring. It is not clear how a sheet of spring can act as a resilient member for the drill or the punch. It is also not clear where the sheet of spring is located and how does it function.

Claim Objections

5. Claims 1 and 10 are objected to because of the following informalities: "is slide" should be --is slid-- in claim 1, line 8 and "the fitting part is aligned with the fitting part" should be --the fitting part is aligned with the elongated slot-- in claim 10, line 3. Appropriate

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correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding claim 16, the disclosure fails to teach a sheet of spring. It is not clear how a sheet of spring acts as a resilient member of the drill or the punch. It is also not clear where the sheet of spring is located and how does it function.

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding Claim 1, "a set of drill" is confusing. It is not clear what encompasses a set of drill. Does a set of drill have a drill or many drills? Is a set of drill a reference to a punch?

Allowable Subject Matter

10. Claims 1-19 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to teach

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that the drill is pressed down when the slide member is slid in contact with the drill (or punch) as set forth in claim 1. For example, Cavill (1,728,475) teaches a slidable hole punch including an upper seat having an elongate slide track and a slide member slidable along the slide track and a lower seat with one side connected to one side of the upper seat. Cavill also teaches that the lower seat including an elongate slot and a punch which is installed between the upper seat and the lower seat wherein the punch is moveable within the slot. However, Cavill does not teach that the punch is pressed down when the slide member is slid in contact with the drill as set forth in claim 1.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Huang (2002/0157517), Rauber (1,742,216), Semler (2,481,883), Segal (2,726,721), Unger (2,368,790), Cusi (1,500,576), Mandel (5,144,750), Achelpohl (4,682,524), Otsuka et al. (3,921,487), LaTourette (4,020,554), Jones (2,756,822), Neilsen (3,987,965), Mori (5,894,778), Hsu (2002/0139232), HANSEN ET AL. (5,499,565), Yerkes (3,073,199), Kakimoto (5,144,872), Karlis (5,632,188), Semerjian et al. (4,449,436), and Godston et al. (2002/0020272) teach a slidable hole punch including an upper seat, a lower seat, at least a punch.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

April 9, 2004



Allan N. Shoap
Supervisory Patent Examiner
Group 3700